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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary Crawford

Attorney Docket No. CITC-1-1010

Serial No.: 10/646,089

Group Art Unit: 1615

Filing Date: August 22, 2003

Examiner: N/A

Title: HAZING A BIRD REPELLENT SOLUTION

TRANSMITTAL LETTER FOR FILING RECEIPT CORRECTION

Enclosed with this transmittal letter are the following papers:

1. Copy of Response to Request for Corrected Filing Receipt.
2. Copy of Combined Declaration and Power of Attorney.
3. Return postcard.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>

Mark L. Lorbiecki

Registration No. 45,643

Direct Dial: 206.903.1800

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via First Class Mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

2/15/05

Date of Deposit

Michelle J. Carman

25315

CUSTOMER NUMBER

- 1 -

CITC-1-1010TL04

BLACK LOWE & GRAHAM<sup>PLLC</sup>

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/646,089	08/22/2003	Gary Crawford	CITC-1-1010

25315  
BLACK LOWE & GRAHAM, PLLC  
701 FIFTH AVENUE  
SUITE 4800  
SEATTLE, WA 98104



CONFIRMATION NO. 9601



\*OC000000014939223\*

Date Mailed: 01/12/2005

### RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

#### Power of Attorney

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The person or people whom you would like to add was not listed in the Power of Attorney that was entered into the application (to add one or more patent practitioners a new power of attorney is required), or the registration number was omitted from the Power of Attorney (the name and registration number are required for a patent practitioner to be made of record).
- ☐ The Power of Attorney you provided did not comply with the new Power of Attorney rules that became effective on June 25, 2004. See 37 CFR 1.32.
- ☒ The Power of Attorney you provided did not designate the Customer Number to be used for the Power of Attorney. If you would like the Power of Attorney to be associated with the practitioners associated with the Customer Number, a new Power of Attorney must be provided revoking the Power of Attorney that has been established and clearly requesting that the practitioners associated with the Customer Number be used for the Power of Attorney. Note the format of the PTO/SB/081 and PTO/SB/082, which are available on the USPTO Internet web site ([www.uspto.gov](http://www.uspto.gov)).
- ☐ The spelling of attorneys' names shown on the filing receipt must be corrected by contacting the Office of Enrollment and Discipline, (703) 306-4097.
- ☐ The filing receipt will only show up to 110 attorneys for the Power of Attorney, with the attorneys or agents with the lowest registration numbers being listed. If Power of Attorney

DOCKETED

Action: None

Due Dates: \_\_\_\_\_

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Patent & Trademark Office

— was established before June 25, 2004 and more than 10 attorneys were appointed, the filing receipt will only show the 10 attorneys or agents with the lowest registration numbers, but all of the attorneys or agents on the Power of Attorney will be reflected in the Office's computer records and have been made of record. If 10 or fewer attorneys were appointed, all will be shown.

☐ Only one Customer Number can be designated for the Power of Attorney in an application. The Customer Number that was captured is the first Customer Number provided on the Power of Attorney document.

☐ The attorney requested is not available in the database. Please contact the Office of Enrollment and Discipline at (703) 306-4097 for more information.

☐ The attorney name that you are requesting does not match what was listed on your Power of Attorney. The registration number is the information that is captured from the Power of Attorney. To make this correction, you will need to revoke POA to the incorrect attorney and properly appoint the correct attorney.

  
\_\_\_\_\_  
Customer Service Center  
Office of Initial Patent Examination  
(703) 308-1202

**Revised Power of Attorney Practice - 37 CFR 1.32**  
**(Applies to powers of attorney filed on or after June 25, 2004)**

As a result of a revision of the patent rules relating to powers of attorney, a power of attorney filed on or after June 25, 2004 must either appoint:

- a) One or more joint inventors; OR
- b) Those registered practitioners associated with a Customer Number; OR
- c) Ten or fewer patent practitioners, either in the power of attorney itself, or by a listing in a separate paper accompanying the power of attorney, as explained below.

See (newly established) 37 CFR 1.32(b) and (c), the text of which is as follows:

(b) A power of attorney must:

- (1) Be in writing;
- (2) Name one or more representatives in compliance with (c) of this section;
- (3) Give the representative power to act on behalf of the principal; and
- (4) Be signed by the applicant for patent (§ 1.41(b)) or the assignee of the entire interest of the applicant.

(c) A power of attorney may only name as representative:

- (1) One or more joint inventors (§ 1.45);
- (2) Those registered patent practitioners associated with a Customer Number;
- (3) Ten or fewer registered patent attorneys or registered patent agents (see § 10.6 of this subchapter) (patent practitioners). Except as provided in paragraph (c)(1) or (c)(2) of this section, the Office will not recognize more than ten patent practitioners as being of record in an application or patent. If a power of attorney names more than ten patent practitioners, such power of attorney must be accompanied by a separate paper indicating which ten patent practitioners named in the power of attorney are to be recognized by the Office as being of record in application or patent to which the power of attorney is directed.

The filing receipt reflects the power of attorney that has been entered for the application. If the power of attorney appointed more than ten patent practitioners, without reference to a Customer Number and without a separate paper indicating which ten patent practitioners named in the power of attorney are to be recognized, then no patent practitioner has been made of record.

**How to take corrective action:** Resubmit a copy of the power of attorney along with a separate paper indicating which (up to ten) patent practitioners named in the power of attorney are to be recognized by the Office as being of record in the application or patent to which the power of attorney is directed, or file a newly executed power of attorney in compliance with 37 CFR 1.32.

After receipt of such a submission, the patent practitioners listed on the separate paper or new power of attorney in compliance with 37 CFR 1.32 will be recognized as being of record. For additional information regarding this change in practice, see Revision of Power of Attorney and Assignment Practice, 69 Fed. Reg. 29865 (May 26, 2004); 1283 Off. Gaz. 148 (Jun. 22, 2004) and <http://www.uspto.gov/web/offices/pac/dapp/poafaqs.htm>.

August 11, 2004

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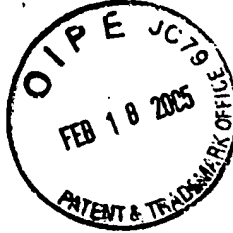
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary Crawford

Serial No.: (Pending)

Filing Date: August 22, 2003

Title: HAZING A BIRD REPELLENT SOLUTION



Attorney Docket No. CITC-1-1010

Group Art Unit: --

Examiner: --

### COMBINED DECLARATION AND POWER OF ATTORNEY IN PATENT APPLICATION

As the inventor of the invention disclosed in the patent application entitled HAZING A BIRD REPELLENT SOLUTION, I hereby declare as follows:

My residence, post office address and citizenship is:

Gary Crawford  
2100 196<sup>th</sup> St. SW #138  
Lynnwood, WA 98036  
U.S. Citizen

I believe that I am the original, first and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled HAZING A BIRD REPELLENT SOLUTION, the specification of which is attached to this declaration.

I have reviewed and understand the contents of the above-identified patent application.

I acknowledge the duty to disclose information, which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, for the application(s) listed below. I have also identified below any foreign application(s) for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed: NONE




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PATENT TRADEMARK OFFICE

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CITC-1-1010DPOA

BLACK LOWE & GRAHAM <sup>LLC</sup>

  
816 Second Avenue  
Seattle, Washington 98104  
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I hereby claim the benefit under 35 U.S.C. 119(e) of the following United States provisional application(s): 60/405,633 filed on August 23, 2002.

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information that is material to patentability as defined 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application: NONE

I hereby appoint the following attorneys and agents to prosecute this application and to transact all related business in the Patent and Trademark Office: William C. Anderson, PTO Reg. No. 28,147; Harry B. Field, PTO Reg. No. 27,880; Terje Gudmestad, PTO Reg. No. 32,232; John C. Hammar, PTO Reg. No. 29,928; Henry G. Kohlmann, PTO Reg. No. 26,672; Bryan C. Ogden, PTO Reg. No. 25,362; Charles T. Silberberg, PTO Reg. No. 26,584; David J. Clement, PTO Reg. No. 44,082; Ann K. Galbraith, PTO Reg. No. 33,530; Robert L. Gullette, PTO Reg. No. 26,899; Thomas W. Hennen, PTO Reg. No. 27,798; Lawrence W. Nelson, PTO Reg. No. 34,684; John R. Rafter, PTO Reg. No. 28,533; Richard T. Black, PTO Reg. No. 40,514; David A. Lowe, PTO Reg. No. 39,281; Lawrence D. Graham, PTO Reg. No. 40,001; Mark L. Lorbiecki, PTO Reg. No. 45,643; Michael S. Smith, PTO Reg. No. 39,563; Robert R. Richardson, PTO Reg. No. 40,143; Mark S. Beaufait, PTO Reg. No. 48,529; Mark D. Byrne, PTO Reg. No. 50,125; H. Albert Richardson, PTO Reg. No. 27,701; Frank J. Bozzo, PTO Reg. No. 36,756; Dale C. Barr, PTO Reg. No. 40,498; Darren J. Jones, PTO Reg. No. 36,175 and all registered patent attorneys and registered patent agents of the Law Firm of Black Lowe & Graham<sup>PLLC</sup>.



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Direct all communications to: \*

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BLACK LOWE & GRAHAM<sup>PLLC</sup>  
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Seattle, Washington 98104  
Direct Dial: 206.903.1800  
Facsimile: 206.381.3301  
Email: lorbiecki@blacklaw.com

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

8-22-03

Date

  
Gary Crawford



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